

## Explanation of Changes Made to Special Order by Consent Documents

### S17-010

In the Hearing Officer's Report for Special Order by Consent S17-010, Commissioner Mitch Gillespie made the following recommendations for modification of the language found in the SOC document that was sent to public notice on July 22, 2018:

- On page 1 of the Attachment A, the second sentence within the descriptions of constructed seeps 64EO-1 and 64EO-2, and the third sentence within the description of constructed seep 64EO-3 should be substituted with "Seep flow is currently being collected and pumped back into ash basin in accordance with the pumping system's design capacity." This change will bring about consistency between sections regulating similar activities in this SOC and the SOC approved for the Mayo and Roxboro Plants on August 15, 2018.
- To address Commissioners' concerns expressed during consideration of prior SOC's for Duke Energy facilities, the following statement should be added at the bottom of Attachment B:

Analyses of all monitoring conducted per the terms of this SOC shall conform to the requirements of 15A NCAC 2B .0505(e)(4) and (5), i.e., standard methods and certified laboratories shall be used.

Commissioner Gillespie's recommended changes have been made to the documents.

The following additional change has been made to the SOC document, to correct an editing error contained in the original document.

- The first sentence in Paragraph 6 (p. 11) of the SOC has been modified.

#### Original Text

Duke Energy and the Commission agree that the stipulated penalties specified in paragraphs 2(a)(2) and 3 are not due if Duke Energy satisfies DWR that noncompliance was caused solely by:

#### Modified Text

Duke Energy and the Commission agree that the stipulated penalties specified in paragraph 2(a)(2) are not due if Duke Energy satisfies DWR that noncompliance was caused solely by:

The reference to paragraph 3 was a remnant from a working draft of the SOC that was made unnecessary when the stipulated penalty referred to was added to paragraph 2(a)(2).

The changes have been reviewed and approved by Duke Energy. A copy of a revised version of SOC S17-010 is available for review and consideration.